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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/017,888	12/12/2001	Markku Ruuskanen	796.422USWI	1010

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EXAMINER

TRAN, KHAI

ART UNIT PAPER NUMBER

2631

DATE MAILED: 01/07/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/017,888

Applicant(s)

RUUSKANEN, MARKKU

Examiner

KHAI TRAN

Art Unit

2631

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 14 October 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

### DETAILED ACTION

1. The amendment C filed 10/14/03 has been entered. Claims 1-6 are pending in this Office action.

#### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -  
(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

3. Claims 1-6 remain rejected under 35 U.S.C. 102(a) as being anticipated by the admitted prior art, specially Figures 1-4, pages 1-3 of the specification.

Regarding claims 1, 5, the admitted prior art discloses a method and a digital phase lock arrangement as shown in Figure 1, comprises: selection components (12) for selecting the desired synchronization source from a set of at least two different synchronization sources (sync 1 and sync 2); a phase comparator (13), which has a first and a second input and which is used for generating an output signal dependent on the phase difference between the signals supplied to the inputs; controllers (14) for forming a control word in response to the output signal which is dependent on the phase difference; an oscillator (16) is controlled with the aid of the control word.

Regarding claim 6, the admitted prior art discloses starting components for starting the normal adjustment function of the loop (see Fig. 4, a start phase lock's adjustment algorithm (45)).

Regarding claims 2-4, the admitted prior art discloses phase transfer of the second synchronization signal being carried out by preventing for a certain time access of the signal formed from the phase lock's oscillator; and preventing takes place by cutting off the functional route of the signal formed oscillator (an oscillator signal cut-off (17), see pages 2-3).

### ***Response to Arguments***

4. Applicant's arguments filed 10/14/03 have been fully considered but they are not persuasive.

In the remarks, page 9, Applicant argues that the admitted prior art (APA) fails to disclose or suggest at least that the "measure phase difference is set as a setting value", as recited in claim 1. The APA also fails to disclose or suggest at least "setting components for setting a measured phase difference as a setting value", as recited in claim 5.

In response to the applicant's argument that the admitted prior art (ATA) discloses in page 3, lines 11- 27 that when a decision on exchange of synchronization signal is desired in the system (step 48), a change measure is taken (step 41). If a change of synchronization signal is not desired, the phase lock continue to maintain the phase difference at its setting value SETM (step 47). After the change of synchronization signal, the phase difference meter measures the phase difference

meter is compared with the phase difference setting value (step 43). Therefore, the measured phase difference is set as a setting value because the phase lock continues to maintain the phase difference at its setting value SETM (step 47).

Claims 2-4, and 6 depend either directly or indirectly upon rejected claims 1 and 5. Therefore, claims 204, and 6 are also rejected under 35 U.S.C. 102(a).

### ***Conclusion***

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to KHAI TRAN whose telephone number is (703)305-1876. The examiner can normally be reached on 7:00AM - 4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mohammed Ghayour can be reached on (703)306-3034. The fax phone

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number for the organization where this application or proceeding is assigned is  
(703)872-9314.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)305-4700.

  
**KHAI TRAN**  
**PATENT EXAMINER**

**KT**  
**January 06, 2004**